

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-9 are pending in the present application. Claims 1-8 have been amended to improve the form thereof and more clearly define the engine in terms of the included mechanical section and mechanical controller that controls the mechanical section according to transmitted commands as described at page 13, lines 15-19, page 17, lines 17-24, and the showing of Fig. 6 as to engine 4, for example, while added Claim 9 highlights the subject matter shown by FIGS. 3A and 3B, for example, all without the introduction of any new matter.

The outstanding Office Action presents an objection to Claim 6, rejections of Claims 6-8 under the first and second paragraphs of 35 U.S.C. §112, and a rejection of Claims 1-5 under 35 U.S.C. §102(b) as being anticipated by Kageyama et al. (U.S. Patent No. 5,774,638, Kageyama).

It is respectfully submitted that the objection to Claim 6 has been overcome by the present amendment that has adopted the suggestion at page 2 of the outstanding Action and changed "include" to --includes--. Accordingly, withdrawal of this objection is believed to be in order.

Turning first to the rejection of Claims 6-8 under the first paragraph of 35 U.S.C. §112, the top of page 3 of the outstanding Action asserts that the artisan would not know what was included in the previous Claim 6 recitation of "a print information command," apparently because Claim 6 does not set forth the details of the included print parameters noted at page 34, line 18, through page 35, line 9, of the specification, for example. However, it is not the function of the claims to set forth the details of the underlying disclosure required by the enablement clause of the first paragraph of 35 U.S.C. §112. Instead, it is the specification that must present these details so as to describe the invention

“in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains . . . to make and use the same.” It is believed that those skilled in the art having read page 34, line 18, through page 35, line 9, of the specification, for example, would have been able to make and use the present invention.

In addition, Claim 6 has been amended to erase any doubt as to what was meant by the previous Claim 6 recitation of “the second command include [sic, includes] a print information command and a set command” In this regard, Claim 6 now recites this subject matter as --the second command includes a print parameter information command portion and a set command portion--.

The amended recitation in Claim 6 of --a print parameter information command portion-- and --a set command portion-- as being parts of the “second command” are further believed to overcome the rejection of Claim 6 under the second paragraph of 35 U.S.C. §112. In this regard, it is now clear that the second command has these two claimed portions, namely --a print parameter information command portion-- and --a set command portion--.

Furthermore, the language at the end of Claim 6 has been amended to clarify that the “set command portion” indicates --the end of the print parameter information command portion for each print page-- as disclosed at page 35, lines 4-9, for example.

It is respectfully submitted that these amendments to Claim 6 clearly overcome the rejection of Claims 6-8 under both the first paragraph and the second paragraph of 35 U.S.C. §112 and withdrawal of these rejections is, therefore, respectfully requested.

If the Examiner determines that other formal matters as to the language of any of Claims 1-9 remains outstanding, the Examiner is invited to contact Applicant’s representative at the below noted telephone number so that mutually agreeable corrective language can be determined.

Turning to the subject matter of base independent Claim 1 and the assertion that this claim is anticipated by Kageyama, it is noted that amended Claim 1 recites, *inter alia*, a “controller for transmitting commands representing various instructions and an engine for executing print based on the transmitted commands. Independent Claim 1 further requires that “the engine comprises a mechanical section and a mechanical controller which controls the mechanical section according to the transmitted commands,” where “the transmitted commands are classified into a plurality of layers,” and that “each of the instructions is determined by at least a first command of a superior layer and a second command of a subordinate layer of the plurality of layers.” Independent Claim 1 further requires that “the engine comprises a mechanical section and a mechanical controller which controls the mechanical section according to the transmitted commands,” that “the mechanical controller holds the first command last received until reception of another first command,” that “when the mechanical controller receives the first and second commands, the mechanical controller controls the mechanical section according to the instruction specified by the received first and second commands,” and that “when the mechanical controller receives the second command without receiving the first command, the mechanical controller controls the mechanical section according to the instruction specified by the first command last held by the mechanical controller and the second command now received.”

On the other hand, Kageyama discloses that a host computer 10 transmits “a print command chain” to the “print controlling apparatus 11.” This “print command chain” transmitted from 10 to 11 can include “constrained commands” and “unconstrained commands” for executing print controlling mode 11E1 corresponding to “constrained commands” or mode 11E2 corresponding to “constrained commands” as described at col. 25, lines 9-29.

As further disclosed at col. 25, lines 55-57 of Kageyama, Figs. 15 and 16 exemplify the contents of the document content describing a print command chain 12A3. Thus, these “constrained commands” of Fig. 15 and 16 are taught by Kageyama to be transmitted from the “host computer 10” to the “print controlling apparatus 11,” not from the “print controlling apparatus 11” (or the “printer engine adapter” in 11) to the “print engine 18.” Similarly, Fig. 18 represents the format of the print command chain being transmitted by the host computer 10 as disclosed at col. 25, lines 40-44 of Kageyama, not a format of any command transmitted from the “print controlling apparatus 11” (or the “printer engine adapter” in 11) to the “print engine 18.”

Thus the outstanding Action (at the bottom of page 4 of the outstanding Action) was clearly wrong to suggest that the independent Claim 1 “controller for transmitting commands for representing various instructions” could be interpreted to correspond to the “print controlling apparatus 11” of Kageyama because this “print controlling apparatus 11” includes a “printer engine adapter 171 which is a controller that transmits printing commands to the printer engine 18.” In this regard, and as noted above, the disclosure of Figs. 15, 16, and 18 that the top of page 5 of the outstanding Action relies upon to teach the commands of independent Claim 1 that are classified into a plurality of layers are not commands transmitted from a controller to an engine that will receive these commands and use them to execute print as independent Claim 1 recited because there is no teaching that “print controlling apparatus 11” or the “printer engine adapter” included therein will transmit the “constrained commands” of Fig. 15 and 16 with a format taught by Fig. 18 to engine 18.

To help in even better highlighting these differences, independent Claim 1 has been amended to further recite that “the engine comprises a mechanical section and a mechanical controller which controls the mechanical section according to the transmitted commands,” structure not taught as to the engine 18 of Kageyama. In addition, independent Claim 1

requires that “the mechanical controller holds the first command last received until reception of another first command,” further subject matter not taught or suggested as to the engine 18 of Kageyama.

Accordingly, the rejection of amended Claim 1 under 35 U.S.C. §102(b) as being anticipated by Kageyama is respectfully traversed.

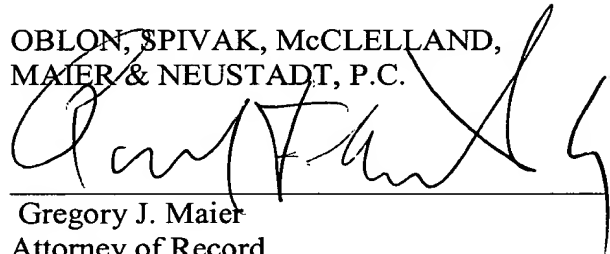
As Claims 2-8 all ultimately depend from Claim 1, these dependent claims should be considered to patentably define over Kageyama for at least the same reasons that parent independent Claim 1 does. In addition, each of dependent Claims 2-8 adds further features to those of parent independent Claim 1 that are not taught or suggested by Kageyama. Consequently, the rejection of dependent Claims 2-5 under 35 U.S.C. §102(b) as being anticipated by Kageyama is traversed for the above-noted reasons.

Turning to the subject matter of new independent Claim 9 and the disclosure of Kageyama, it is noted that new independent Claim 9 is similar to original independent Claim 1 but has added subject matter that recites, *inter alia*, that each of the first and second commands includes a same number of bits, which is further subject matter not taught or suggested by Kageyama. Accordingly, it is believed to be clear that new independent Claim 9 further patentably defines over Kageyama.

As no further issues are believed to remain outstanding in the present application, it is believed that this application is clearly in condition for formal allowance and an early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Gregory J. Maier', is written over a horizontal line. The signature is stylized and cursive.

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